

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

V.

JAMES PREVARD,

Defendant.

Criminal No. 03-648 (SRC)

## ORDER

This matter having come before the Court on Defendant's Motion for Reduction of Sentence [docket item # 18]; and

**IT APPEARING** that Federal Rule of Criminal Procedure 35, which governs the correction or reduction of a sentence, applies to the instant motion; and it further

**APPEARING** that Rule 35(b) provides that the government may move for a reduction of sentence for substantial assistance provided by the defendant in investigating or prosecuting another person; and it further

**APPEARING** that Rule 35 does not contemplate motions for the reduction of a sentence  
filed by a defendant; and it further

**APPEARING** that Defendant has no standing under Rule 35 to obtain the relief sought;  
and it further

**APPEARING** that, additionally, the papers submitted in support of Defendant's motion do not provide any information about substantial assistance provided by Defendant after sentencing;

For the foregoing reasons, **IT IS** on this 19<sup>th</sup> day of March, 2012, hereby

**ORDERED** that Defendant's Motion For Reduction of Sentence [docket item # 18] be  
and hereby is **DENIED**.

s/ Stanley R. Chesler  
Stanley R. Chesler, U.S.D.J.